

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53265 of 2024

Arising Out of PS. Case No.-326 Year-2020 Thana- MALSALAMI District- Patna

Prakash Kumar Gupta @ Prakash Gupta SON OF LATE Brij Mohan Prasad Gupta VILLAGE- NAND GOLA DEVI ASTHAN PATNA CITY, PS- MALSALAMI, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Adv.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 498(A)/34 of the Indian Penal Code and Section 3/4 of D.P Act.

3. Petitioner, who is husband of opposite party no2., is said to have tortured upon her physically and mentally in association of his family members over the dowry demand.

4. It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed no offence. Petitioner has neither made any dowry demand



nor tormented her over the demand of dowry. All the allegation levelled against the petitioner is totally false and based on concocted facts. Learned counsel further submits that the petitioner is still ready to keep her with full honour and dignity. The petitioner has relied upon the judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006 (3) PLJR 182*. Petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. In that view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Malsalami Case No. 326 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

6. If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.



7. With the aforesaid, this application stands disposed
of.

(Anjani Kumar Sharan, J)

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